



3/29/06

## BUDGETS

### **SB 1084 (Switalski)**

Fiscal Year 2006-07 Corrections Budget.

- Cropsey 1a was adopted.
- Prusi 1b was adopted.
- Scott 1c was adopted.
- Committee S-1 was adopted.
- SB 1084 was moved to 3<sup>rd</sup> Reading of Bills.
- Bishop 1 was adopted [no RC].
- SB 1084 passed [RC 207: 37 yes, 0 no].

### **SB 1086 (Barcia)**

Fiscal Year 2006-07 DEQ Budget

- Garcia 1a was withdrawn.
- Brater 1b was withdrawn.
- McManus 1c was adopted.
- McManus 1d was adopted.
- Basham 1e was adopted.
- Committee S-1 was adopted.
- SB 1086 was moved to 3<sup>rd</sup> Reading of Bills.
- Garcia 1 was withdrawn (\$8.9 million taken out in line items in budget because Garcia is mad at DEQ).
- Brater 2 was withdrawn.
- McManus 3 was adopted [no RC].
- SB 1086 passed [RC 208: 36 yes, 2 no].

### **SB 1088 (Cherry)**

## Fiscal Year 2006-07 Higher Ed Budget

- Brown 1a was adopted.
- Cherry 1b was withdrawn.
- Sanborn 1c was not adopted.
- Allen 1d was withdrawn.
- Sikkema 1e was adopted.
- Committee S-1 was adopted.
- Cherry 2 was withdrawn.
- SB 1088 was moved to 3<sup>rd</sup> Reading of Bills.
- Cherry S-2 was withdrawn.
- Cherry 2 was adopted [no RC]. (separates (MSU, UM, Wayne) 2% increase, the rest no less than 1.8% increase)
- Cherry 3 was withdrawn.
- Switalski 4 was adopted [no RC].
- Van Woerkom 5 was adopted [no RC].
- SB 1088 passed [RC 206: 38 yes, 0 no].

## **SB 1095 (Switalski)**

## Fiscal Year 2006-07 School Aid Budget

- Jelinek 1a was adopted.
- Garcia 1b was withdrawn.
- Garcia 1c was withdrawn.
- Garcia 1d was withdrawn.
- Basham 1e was withdrawn.
- Switalski 1f was adopted.
- Toy 1g was adopted.
- Basham 1h was withdrawn.
- Basham 1i was withdrawn.
- Clarke 1j was adopted.
- Clarke 1k was withdrawn.
- Garcia 1L was adopted.
- Jelinek 1m was adopted.
- Basham 1n was adopted.
- Committee S-1 was adopted.
- SB 1095 was moved to 3<sup>rd</sup> Reading of Bills.
- Scott 1 was adopted [no RC].
- Scott 2 was not adopted [RC 209: 18 yes, 19 no]. (transfer money to early childhood programs)
- Scott 3 was withdrawn.
- Switalski 4 was not adopted [RC 210: 16 yes, 22 no]. Raise per pupil foundation grant by \$25 dollars to \$250.

- Cassis 5 was adopted [no RC].
- George 6 was adopted [RC 211: 21 yes, 17 no]. (Eliminates funding for Detroit, \$100,000 gives to a technical school)
- SB 1095 passed [RC 212: 32 yes, 6 no].

## FINAL PASSAGE

### SB 1115 (George)

Senate Bill 1115 would create a new act to require the Michigan Department of State Police (MSP), upon receiving a notice of the discovery of a methamphetamine laboratory pursuant to the proposed "Methamphetamine Reporting Act", to post on the MSP's internet website the location of the methamphetamine laboratory and the name of the law enforcement agency or other agency reporting the lab's existence. The MSP would have to keep the information posted under the bill current, and include in that information a statement as to whether the remediation of each lab site had been completed according to standards established by the Department of Community Health (DCH).

- *SB 1115 was moved to 3<sup>rd</sup> Reading of Bills [no amendments].*
- **SB 1115 passed [RC 200: 38 yes, 0 no].**

### SB 1116 (Hardiman)

Senate Bill 1116 would amend the Child Protection Law to require reporting and investigation by the Department of Human Services (DHS) and law enforcement agencies if a report or investigation of child abuse indicated a drug lab violation involving methamphetamine (meth) in violation of Section 7401c of the Public Health Code, or if there were evidence that an individual was allowing a child to be exposed to or have contact with meth production. The bill also would require the DHS would have to submit a petition for authorization by the family court under Section 2(b) of the juvenile code, within 24 hours after determining that a child was allowed to be exposed to or have contact with meth production. (Section 2(b) of the juvenile code gives the Family Division of the Circuit Court jurisdiction over cases involving juveniles under the age of 18 in cases in which the parent or legal guardian neglects, refuses, or fails to provide proper care for the juvenile, or in which the juvenile's home or environment is unfit.)

- *Committee S-1 was adopted.*
- *SB 1116 was moved to 3<sup>rd</sup> Reading of Bills*
- **SB 1116 passed [RC 202: 38 yes, 0 no].**

### SB 1117 (Gilbert)

Senate Bill 1117 would amend the Child Protection Law to require the Department of Human Services (DHS) to refer a central registry case to the prosecuting attorney if it involved a child's exposure to or contact with methamphetamine production. The bill also would require the prosecuting attorney to review the investigation of the case to determine whether it complied

with the protocol adopted as required by Section 8 of the Law. The Child Protection Law (CPL) requires certain professionals to report to the DHS if they have reasonable cause to suspect child abuse or neglect. The DHS and law enforcement agencies are subject to reporting and investigation requirements under the Law. The CPL also requires the DHS to maintain a statewide, electronic central registry to carry out the intent of the Law.

- *SB 1117 was moved to 3<sup>rd</sup> Reading of Bills [no amendments].*
- **SB 1117 passed [RC 203: 38 yes, 0 no].**

### **SB 1119 (Van Woerkom)**

Senate Bill 1119 would amend the Revised Judicature Act (RJA) to authorize the Attorney General to commence an action against a person who developed or maintained a website, or a page on a website, for the purpose of publishing instructions for the manufacture or creation of methamphetamine or information on how to obtain substances that could be used in the manufacture or creation of methamphetamine. In an action brought under the bill, the court could order one or more of the following forms of relief: Injunctive or other equitable relief, as appropriate. Actual damages sustained by the State, or its residents, that were caused by the publication. Punitive damages that the court determined were just and equitable. Actual attorney fees and costs. The bill specifies that it would not apply if the published information were only on how to obtain substances that could be lawfully possessed in Michigan and the purpose of the website were to provide information on obtaining the substances only for lawful purposes and in a lawful manner.

- *SB 1119 was moved to 3<sup>rd</sup> Reading of Bills [no amendments].*
- **SB 1119 passed [RC 201: 38 yes, 0 no].**

### **SB 1120 (Goschka)**

Senate Bill 1120 would amend Public Act 185 of 1957, which allows counties to establish departments of public works, to increase from 30 to 40 the maximum number of annual installments of a special assessment. Under the Act, a county establishing a department of public works may acquire, improve, and operate a water supply system, sewage disposal system, refuse system, or erosion control system, or make lake improvements. The county may finance these activities by various methods specified in the Act, including the issuance of bonds in anticipation of special assessment payments. The Act also allows a county and one or more municipalities to enter into a contract for public works projects; a municipality may pay all or part of its share of the cost by assessing the benefited land.

- *SB 1120 was moved to 3<sup>rd</sup> Reading of Bills [no amendments].*
- **SB 1120 passed [RC 204: 38 yes, 0 no].**

## **THIRD READING OF BILLS**

### **SB 582 (Bishop)**

Senate Bill 582 would amend the Administrative Procedures Act to require the State Office of Administrative Hearings and Rules (SOAHR) to file an electronic copy of promulgated rules with the Secretary of State, along with the copies SOAHR is currently required to file. Additionally, the bill would require that the Secretary of State transmit an electronic copy, instead of a paper copy, of rules filed in his or her office to the Secretary of the Senate and the Clerk of the House.

- SB 582 was moved to 3<sup>rd</sup> Reading of Bills [no amendments].

#### **SB 777 (Van Woerkom)**

Senate Bill 777 would amend the Michigan Seed Law to preempt ordinances prohibiting or regulating certain activities with respect to seeds. Specifically, the bill would prohibit a local unit of government from adopting, maintaining, or enforcing an ordinance that prohibited or regulated the labeling, sale, storage, transportation, distribution, use, or planting of agricultural, vegetable, flower, turf grass, or forest tree seeds. The prohibition would not apply to an ordinance that prohibited or regulated noxious or invasive plants or the use of certain plants for landscaping.

- Committee S-3 was adopted.
- SB 777 was moved to 3<sup>rd</sup> Reading of Bills.

#### **SB 1112 (Birkholz)**

Senate Bill 1112 would amend the Housing Law of Michigan to transfer from the Department of Environmental Quality (DEQ) to the Department of Community Health (DCH) responsibilities regarding potential contamination of property that was the site of illegal drug manufacturing. Under the Law, a State or local law enforcement agency must notify the enforcing agency and the DEQ regarding the potential contamination of any property or dwelling that is or has been the site of illegal drug manufacturing. Within 14 days after receiving the notification or as soon thereafter as is practically possible, the DEQ, in cooperation with the enforcing agency, must review the information received from the law enforcement agency, emergency first responders, or hazardous materials team that was called to the site and make a determination regarding whether the premises are likely to be contaminated and whether that contamination may constitute a hazard to the health or safety of those who may occupy the premises. The bill would refer to the DCH, rather than the DEQ, in these provisions.

- Committee S-1 was adopted.
- SB 1112 was moved to 3<sup>rd</sup> Reading of Bills.

#### **SB 1113 (George)**

Senate Bill 1113 would amend the Public Health Code to require the Department of Community Health (DCH), in consultation with the Department of Environmental Quality, to develop a cleanup of clandestine drug labs guidance document, within six months after the bill's effective date. The document would have to include detailed protocols for the preliminary site assessment,

remediation, and postcleanup assessment of indoor environments and structures. The DCH would have to make the document available on its website and provide a local health department, upon request, with a physical copy of the document.

- Committee S-1 was adopted.
- SB 1113 was moved to 3<sup>rd</sup> Reading of Bills.

#### **SB 1114 (Brown)**

Senate Bill 1114 would amend Part 201 (Environmental Response) of the Natural Resources and Environmental Protection Act to require the Department of Environmental Quality to report to the Legislature on environmental contamination caused by releases that were associated with clandestine drug laboratories, that had been reported to the Department, and that were subject to response activity under Part 201. The report would have to be made to the legislative standing committees with jurisdiction over issues pertaining to natural resources and the environment. The report would have to include all of the following: The number of releases described above. The status of the responses to the releases. The identity of the agency or department that undertook the response activity.

- Committee S-2 was adopted.
- SB 1114 was moved to 3<sup>rd</sup> Reading of Bills.

#### **SB 1184 (Kuipers)**

Senate Bill 1184 would amend the Revised School Code to specify that, beginning July 1, 2006, the board of a local school district or other public agency responsible for providing programs or services under the Code to a child with a disability would be responsible for 75% of the costs of providing a due process hearing. This would allow a parent, public agency, or the Department of Education to request an administrative hearing on matters related to identification, evaluation, educational placement, provision of a free appropriate public education, provision of appropriate services to the child or his or her family, assignment of financial obligations for those services, determination that behavior was not a manifestation of the student's ability, or determination of an interim alternative setting.

- SB 1184 was moved to 3<sup>rd</sup> Reading of Bills [no amendments].

#### **HB 5640 (Casperson)**

House Bill 5640 would allow the Smurfit-Stone paper mill in Ontonagon County to be eligible for a single business tax (SBT) credit from the Michigan Economic Growth Authority. The company is described as a leading producer of containerboard, multi-wall and specialty bags, and clay-coated recycled boxboard. Company officials testified that the mill in Ontonagon had a payroll of about \$12 million in 2005 and paid 31 percent of village property taxes and 8 percent of county property taxes.

- Committee S-1 was adopted.

- HB 5640 was moved to 3<sup>rd</sup> Reading of Bills.

### **HB 5813 (Ward)**

House Bill 5813 would amend the Michigan Election Law to set a filing deadline for candidates who stand for election to village offices during the November general election. The bill requires that nominating petitions for village offices be filed with the appropriate township clerk by 4 p.m. on the 12<sup>th</sup> Tuesday before the general election in November (a date that will fall in August). After a nominating petition is filed, the candidate would not be permitted to withdraw unless a written withdrawal notice, signed by the candidate, was filed with the clerk no later than 4 p.m. of the 3<sup>rd</sup> day after the last day for filing the nominating petition. Currently under the law, candidate filing deadlines are set in a similar fashion for village councils who hold their regular elections at the September primary election.

- HB 5813 was moved to 3<sup>rd</sup> Reading of Bills [no amendments].

## **RESOLUTIONS**

### **SR 101 (Jelinek)**

A resolution to memorialize the United States Congress to provide flexible funding to help states and local communities clean up and deal with the disastrous effects of clandestine methamphetamine labs.

- Committee S-2 was adopted.
- SR 101 was adopted [no RC].

### **SCR 40 (Gilbert)**

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and St. Clair County Community College relative to the St. Clair County Community College General Campus Renovations

- SCR 40 was adopted [RC 205: 38 yes, 0 no].